

ONE HUNDRED SIXTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115  
Majority (202) 225-2927  
Minority (202) 225-3641  
March 11, 2019

Mr. Lee Gelernt  
Deputy Director  
ACLU Immigrants' Rights Project  
American Civil Liberties Union  
125 Broad Street, 18th Floor  
New York, NY 10004

Dear Mr. Gelernt:

Thank you for appearing before the Subcommittee on Oversight and Investigations on Thursday, February 7, 2019, at the hearing entitled "Examining the Failures of the Trump Administration's Inhumane Family Separation Policy." We appreciate the time and effort you gave as a witness before the Subcommittee.

Pursuant to Rule 3 of the Committee on Energy and Commerce, members are permitted to submit additional questions to the witnesses for their responses, which will be included in the hearing record. Attached are questions directed to you from certain members of the Committee. In preparing your answers to these questions, please address your response to the member who has submitted the question and include the text of the member's question along with your response. In the event you have been asked questions from more than one member of the Committee, please begin the responses to each member on a new page.

To facilitate the printing of the hearing record, your responses to these questions should be received no later than the close of business Monday, March 25, 2019. As previously noted, this transmittal letter and your response(s), as well as the responses from the other witnesses appearing at the hearing, will all be included in the hearing record. Your written responses should be emailed to Jourdan Lewis with the Committee staff at [Jourdan.Lewis@mail.house.gov](mailto:Jourdan.Lewis@mail.house.gov). Please provide your response in a Microsoft Word formatted document, as well as a PDF document.

Mr. Lee Gelernt  
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Thank you for your prompt attention to this request. If you need additional information or have other questions, please contact Jourdan Lewis at (202) 225-2927.

Sincerely,

A handwritten signature in blue ink, reading "Frank Pallone Jr".

Frank Pallone, Jr.  
Chairman

Attachment

cc: Hon. Greg Walden, Ranking Member  
Committee on Energy and Commerce

Hon. Diana DeGette, Chair  
Subcommittee on Oversight and Investigations

Hon. Brett Guthrie, Ranking Member  
Subcommittee on Oversight and Investigations

The Honorable Jan Schakowsky (D-IL)

1. Mr. Gelernt, during the February 7, 2019 hearing, the Office of Refugee Resettlement and Office of the Inspector General officials described the criteria used to separate children from parents. These determinations are typically made in cases where officials find that the parents may pose a danger to the child. Based on your experiences:
  - a. How is this determination made and by whom?
  - b. What constitutes a “danger” to a child? Please provide specific examples.
  - c. Is any criminal history, including immigration offenses, grounds for separation?
  - d. What process, if any, exists for parents or child advocates to challenge a decision to separate the parent and child?